

REMARKS

Claims 1-11 and 13-25 remain in the present application. Claims 3, 8, 17 and 24 are amended herein. Applicants respectfully submit that no new matter has been added as a result of the claim amendments. Applicants respectfully request further examination and reconsideration of the rejections based on the amendments and arguments set forth below.

Claim Rejections – 35 U.S.C. §112

Claims 3, 8, 17 and 24 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

Claims 3, 8, 17 and 24 are amended herein. Applicants respectfully submit that Claims 3, 8, 17 and 24 comply with the written description requirement of 35 U.S.C. §112, second paragraph, in light of the claim amendments.

Claim Rejections – 35 U.S.C. §103

Claims 1-11 and 13-25 are rejected under 35 U.S.C. §103(a) as being unpatentable over United States Patent Number 6,529,188 to Suzuki (hereafter referred to as “Suzuki”), in view of United States Patent Number 5,686,705 to Conroy et al. (hereafter referred to as “Conroy”). Applicants have reviewed the cited references and respectfully submit that the embodiments of the present invention as recited in Claims 1-11 and 13-25 are not rendered obvious by Suzuki in view of Conroy for the following reasons.

Applicants respectfully direct the Examiner to independent Claim 1, which recites a display assembly for an electronic device comprising (emphasis added):

a display device;
a digitizer comprising a conductive polymer disposed above a digitizing element, said conductive polymer capable of functioning in a non-planar surface; and
a single-piece three dimensional top cover enclosing said electronic device and said digitizer and operable to allow mechanical transfer of external pressure to cause said conductive polymer to contact and activate said digitizing element responsive to said external pressure, wherein a point of contact on said single-piece three dimensional top cover is detected.

Independent Claims 10 and 19 recite limitations similar to independent Claim 1. Claims 2-9 depend from independent Claim 1 and recite further limitations to the claimed invention. Claims 11 and 13-18 depend from independent Claim 10 and recite further limitations to the claimed invention. Claims 20-25 depend from independent Claim 19 and recite further limitations to the claimed invention.

Applicants respectfully assert that Suzuki fails to teach or suggest the limitations of a “single-piece three dimensional top cover enclosing said electronic device” as recited in independent Claim 1. The present application discloses a single-piece top cover enclosing an electronic device. As evidenced by Claim 1, the top cover is an element of a display assembly, which is distinct from an electronic device utilizing the display assembly.

In contrast to the claimed embodiments, Applicants understand Suzuki to teach a touch screen without mention of an electronic device that may utilize the touch screen (Figures 1A, 1B, 11A, 11B and 11C). As such, Applicants respectfully assert that Suzuki fails to teach or suggest an

electronic device as claimed. Thus, assuming arguendo that element 4A as shown in Figure 1A of Suzuki is a top cover as claimed, Suzuki also fails to teach or suggest that a top cover encloses an electronic device as claimed given that Suzuki fails to teach or suggest an electronic device as claimed.

Moreover, Suzuki teaches away from the claimed embodiments by depicting a touch panel assembly with exposed sides as shown in Figure 1A. Assuming arguendo that element 4A as shown in Figure 1A is a top cover as claimed, Suzuki expressly teaches that it does not enclose portions of the touch screen given the exposed sides of the touch screen depicted in Figure 1A. As such, since a top cover that fails to enclose a display screen may not enclose an electronic device utilizing the display screen, Suzuki effectively teaches away from a single-piece top cover enclosing an electronic device as claimed.

Applicants respectfully assert that Conroy fails to teach or suggest the limitations of a “single-piece three dimensional top cover enclosing said electronic device” as recited in independent Claim 1. As such, Conroy, either alone or in combination with Suzuki, fails to cure the deficiencies of Suzuki discussed above with respect to independent Claim 1.

Furthermore, Applicants respectfully assert that the suggestion or motivation to combine Suzuki and Conroy in the claimed fashion has not been shown sufficiently to establish a *prima facie* case of obviousness, as discussed in MPEP §2143. Applicants respectfully assert that neither Suzuki nor Conroy, either explicitly or inherently, provide a motivation or suggestion to combine the two references in the claimed fashion. Furthermore, the

references explicitly teach away from the combination. For example, if the conductive elements of the touch screen taught in Suzuki were replaced by conductive polymer as taught by Conroy, then a multi-layer assembly with conductive polymer bonded to an upper substrate (e.g., element 4A of Figure 1A of Suzuki) would result. Although the rejection states that such an assembly would “provide a rugged and reliable electronic device,” Conroy explicitly teaches that such use of conductive polymer may lead to layer separation through deterioration of the bonding between layers (col. 6, lines 6-9). Thus, if Suzuki and Conroy were combined in the claimed fashion, the use of conductive polymer would effectively reduce performance and reliability, thereby motivating away from such combination. As such, Applicants respectfully assert that one skilled in the art would not be motivated to combine Suzuki and Conroy in the claimed fashion.

For these reasons, Applicants respectfully submit that independent Claim 1 is not rendered obvious by Suzuki in view of Conroy, thereby overcoming the 35 U.S.C. §103(a) rejection of record. Since independent Claims 10 and 19 contain limitations similar to those discussed above with respect to independent Claim 1, independent Claims 10 and 19 also overcome the 35 U.S.C. §103(a) rejections of record. Since dependent Claims 2-9, 11, 13-18 and 20-25 recite further limitations to the invention claimed in their respective independent Claims, dependent Claims 2-9, 11, 13-18 and 20-25 are also not rendered obvious by Suzuki in view of Conroy. Thus, Claims 1-11 and 13-25 are therefore allowable.

CONCLUSION

Applicants respectfully submit that Claims 1-11 and 13-25 are in condition for allowance and Applicant earnestly solicits such action from the Examiner.

The Examiner is urged to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Please charge any additional fees or apply any credits to our PTO deposit account number: 23-0085.

Respectfully submitted,

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AMENDMENTS TO THE DRAWINGS

Figure 4 is objected to as failing to comply with 37 CFR 1.84(p)(5) because it contains reference characters – 422 and 440 – apparently not mentioned in the description.

Applicants respectfully submit that reference character 440 is mentioned on line 20 of page 13 of the application as originally filed, which reads: "Outer film 410 is stretched over supporting structure 440." Moreover, Applicants respectfully submit that the drawing objections are overcome by the amendments made herein to the specification. Applicants also respectfully submit that no new matter was added as a result of these amendments.